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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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KENNETH BUHOLTZ, #18875-078

*versus*

UNITED STATES OF AMERICA

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CIVIL ACTION NO. 4:13-CV-234  
CRIMINAL ACTION NO. 4:11-CR-135(1)

**ORDER OF DISMISSAL**

The above-entitled and numbered civil action was referred to United States Magistrate Judge Amos L. Mazzant. The Report and Recommendation of the Magistrate Judge, which contains findings of fact and recommendation for the disposition of such action, has been presented for consideration, and no objections having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court. It is

**ORDERED** that Movant's Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (#1) pursuant to 28 U.S.C. § 2255 is **DISMISSED** without prejudice. All motions by either party not previously ruled upon are **DENIED**.

SIGNED at Beaumont, Texas, this 29th day of July, 2013.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE